

MEETING MINUTES
Board of Mental Health Practice
May 13, 2016

These minutes were approved by
the Board on July 1, 2016

1. ROLL CALL

The meeting of the Board of Mental Health Practice was called to order by the Chair, Dale Battleson, at 9:11 a.m. in Lower Level Room A, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Open Meetings Law.

Members Present:	Dale Battleson William Gaughan Tom Maxson Terrance Moore Allison Reisbig Sarita Ruma Shari Schnuelle	Chair Member Member Member Member Secretary
Members Absent:	Susan Feyen Allan Green	Vice-Chair Member
Others Present:	Kris Chiles Nancy Herdman Teresa Hampton Mindy Lester Anna Harrison Larry Wilson Court Reporter	Program Manager, Licensure Unit Health Licensing Coordinator Department Attorney Assistant Attorney General Compliance Monitor Applicant for Reinstatement

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Ruma moved, seconded by Reisbig, to adopt the agenda. A roll call vote was taken. Voting aye: Battleson, Gaughan, Maxson, Moore, Reisbig, Ruma, Schnuelle (7). Voting nay: None (0). Absent: Feyen, Green (2). Abstain: None (0). Motion carried.

3. APPROVAL OF MINUTES (3-4-16)

MOTION: Ruma moved, seconded by Moore, to approve the minutes of 3-4-16. A roll call vote was taken. Voting aye: Battleson, Gaughan, Maxson, Moore, Reisbig, Ruma, Schnuelle (7). Voting nay: None (0). Absent: Feyen, Green (2). Abstain: None (0). Motion carried.

4. HEARING ON DENIAL OF REINSTATEMENT AND EARLY RELEASE FROM PROBATION

- Larry Dwight Wilson – 9:15 a.m.

The hearing on reinstatement and early release from probation requested by Larry Wilson was convened at 9:15 a.m. Teresa Hampton, Department Attorney, served as the hearing officer. The Department was represented by Mindy Lester, Assistant Attorney General. Larry Wilson represented himself. Kris Chiles, Program Manager with the Licensure Unit, and Larry Wilson were called as witnesses. Exhibits were entered and accepted. Evidence was presented and testimonies were provided.

MOTION: Gaughan moved, seconded by Reisbig, to enter into closed session at 9:43 a.m. to deliberate the request for early release from probation by Larry Wilson and for the prevention of needless injury to the reputation of the individual. A roll call vote was taken. Voting aye: Battleson, Gaughan, Maxson, Moore, Reisbig, Ruma, Schnuelle (7). Voting nay: None (0). Absent: Feyen, Green (2). Motion carried.

9:43 a.m. - Chiles, Wilson, court reporter and Lester departed meeting

MOTION: Reisbig moved, seconded by Maxson, to enter into open session at 10:03 a.m. A roll call vote was taken. Voting aye: Battleson, Gaughan, Maxson, Moore, Reisbig, Ruma, Schnuelle (7). Voting nay: None (0). Absent: Feyen, Green (2). Motion carried.

10:03 a.m. - Chiles, Wilson, court reporter and Lester entered meeting

MOTION: Maxson moved, seconded by Reisbig, to deny Larry Wilson's application for reinstatement following disciplinary action based upon his history of substance abuse, his current probation being effective for public protection, and insufficient new evidence for reason to change his current discipline; therefore we find the time frame of current probation continues to be appropriate. A roll call vote was taken. Voting aye: Battleson, Gaughan, Maxson, Moore, Reisbig, Ruma, Schnuelle (7). Voting nay: None (0). Absent: Feyen, Green (2). Motion carried.

10:10 a.m. - Hampton declared the hearing of Larry Wilson completed.

10:11 a.m. - Lisa Anderson, Assistant Attorney General, entered meeting
Break

10:40 a.m. - Meeting resumed
Stella Offordirinwa and Larry Albers, Attorney at Law, entered the meeting

- Stella Offordirinwa – Reserved for Hearing or Update

The hearing on reinstatement and early release from probation requested by Stella Offordirinwa was convened at 10:40 a.m. Teresa Hampton, Department Attorney, served as the hearing officer. The Department was represented by Lisa Anderson, Assistant Attorney General. Larry Albers, Attorney At Law, represented Stella Offordirinwa. Kris Chiles, Program Manager with the Licensure Unit, and Stella Offordirinwa were called as witnesses. Opening statements were waived. Exhibits were entered and accepted. Evidence was presented and testimonies were provided.

11:10 a.m. - Battleson departed meeting

11:12 a.m. - Battleson entered meeting

MOTION: Schnuelle moved, seconded by Reisbig, to enter into closed session at 11:57 a.m. to deliberate the request for early release from probation by Stella Offordirinwa and for the prevention of needless injury to the reputation of the individual. A roll call vote was taken. Voting aye: Battleson, Gaughan, Maxson, Moore, Reisbig, Ruma, Schnuelle (7). Voting nay: None (0). Absent: Feyen, Green (2). Motion carried.

11:57 a.m. - Chiles, Anderson, Lester, court reporter, Offordirinwa, Albers, Harrison departed meeting

MOTION: Ruma moved, seconded by Maxson, to enter into open session at 12:10 a.m. A roll call vote was taken. Voting aye: Battleson, Gaughan, Maxson, Moore, Reisbig, Ruma, Schnuelle (7). Voting nay: None (0). Absent: Feyen, Green (2). Motion carried.

12:10 a.m. - Chiles, Anderson, Lester, court reporter entered meeting

MOTION: Reisbig moved, seconded by Schnuelle, to deny Stella Offordirinwa's application for reinstatement following discipline in that there was insufficient information for the Board to reconsider the basis of the original decision or to justify shortening the probation given the conviction and the current discipline. A roll call vote was taken. Voting aye: Battleson, Gaughan, Maxson, Moore, Reisbig, Ruma, Schnuelle (7). Voting nay: None (0). Absent: Feyen, Green (2). Motion carried.

12:12 p.m. - Hampton declared the hearing of Offordirinwa closed

12:12 p.m. - Break

12:30 p.m. - Meeting resumed
Jeff Newman, Dennis Scott, Mendy Mahar-Clark, investigators, entered the meeting
Russ Fosler, Administrator, Investigations, entered the meeting

5. INVESTIGATIVE REPORTS & OTHER CONFIDENTIAL INFORMATION – CLOSED SESSION

MOTION: Gaughan moved, seconded by Moore, to enter into closed session at 12:31 p.m. to hear discussions of an investigative/confidential nature, and for the prevention of needless injury to the reputation of the individuals. A roll call vote was taken. Voting aye: Battleson, Gaughan, Maxson, Moore, Reisbig, Ruma, Schnuelle (7). Voting nay: None (0). Absent: Feyen, Green (2). Motion carried.

1:48 p.m. - Moore departed meeting (conflict)
2:00 p.m. - Harrison departed meeting
2:01 p.m. - Harrison entered meeting
2:08 p.m. - Moore entered meeting
2:10 p.m. - Ruma departed meeting
2:17 p.m. - Maher-Clark departed meeting
2:26 p.m. - Harrison departed meeting
2:34 p.m. - Break
2:40 p.m. - Meeting resumed

MOTION: Schnuelle moved, seconded by Gaughan, to enter into open session at 2:40 p.m. A roll call vote was taken. Voting aye: Battleson, Gaughan, Maxson, Moore, Reisbig, Schnuelle (6). Voting nay: None (0). Absent: Feyen, Green, Ruma (3). Motion carried.

2:41 p.m. - Harrison entered meeting
Public person entered meeting

The Board moved to agenda item 8.

8. NEW BUSINESS

a. Overview of Nebraska Association of Behavioral Health Organizations (NABHO) by Annette Dubas

Annette Dubas introduced herself as the executive director of the Nebraska Association of Behavioral Health Organizations (NABHO). She explained NABHO was an advocacy organization for behavioral health providers and also provided education. She stated her purpose for attending today was to introduce herself and acknowledge that the Board was an important part of the behavioral health system. She stated she wanted to understand what the Board does and how it works. She wanted to know how she could help facilitate communication and be a go between for providers. Chiles indicated that the Licensure Unit was reaching out to NABHO as a stakeholder during the process improvement process.

The Board returned to agenda item 5.

5. INVESTIGATIVE REPORTS & OTHER CONFIDENTIAL INFORMATION – CLOSED SESSION

MOTION: Reisbig moved, seconded by Gaughan, to enter into closed session at 2:48 p.m. to hear discussions of an investigative/confidential nature, and for the prevention of needless injury to the reputation of the individuals. A roll call vote was taken. Voting aye: Battleson, Gaughan, Maxson, Moore, Reisbig, Schnuelle (6). Voting nay: None (0). Absent: Feyen, Green, Ruma (3). Motion carried.

2:48 p.m. - Battleson departed meeting
3:03 p.m. - Battleson entered meeting
3:35 p.m. - Fosler departed meeting

3:37 p.m. - Newman departed meeting
3:40 p.m. - Schnuelle and Maxson departed meeting (conflict)
3:46 p.m. - Maxson entered meeting
3:47 p.m. - Schnuelle entered meeting
4:03 p.m. - Scott and Harrison departed meeting

Due to members needing to leave resulting in a lack of quorum, the meeting was adjourned.

10. ADJOURNMENT

Battleson adjourned the meeting of the Board of Mental Health Practice at 4:07 p.m.

Respectfully Submitted,

Shari Schnuelle, Secretary
Board of Mental Health Practice

Next Meeting: May 26, 2016

Summarized by: Nancy Herdman, Health Licensing Coordinator, Licensure Unit